

**STAYTON CITY COUNCIL  
MEETING MINUTES  
November 16, 2009**

**CALL TO ORDER**

**7:00 p.m.**

**Mayor Gerry Aboud**

**FLAG SALUTE**

**ROLL CALL**

Mayor Gerry Aboud	Councilor Loftus
Councilor Frank	Councilor Vigil
Councilor Hemshorn	Council Walters

**STAFF:**

Don Eubank, City Administrator  
Rich Sebens, Acting Chief of Police  
Dave Kinney, Public Works Director  
Dan Fleishman, City Planner  
Christine Shaffer, Finance Director  
Louise Meyers, Library Director  
David A. Rhoten, City Attorney  
Jeffrey M. Strickland, Assistant City Attorney  
Rebecca Petersen, Deputy City Recorder

**PRESENTATIONS/COMMENTS FROM THE PUBLIC**

- a. Boy Scouts 100<sup>th</sup> Anniversary:** Scott West representing Boy Scout Troop 50 stated that that he and scouts in the audience (15) were present to inform the council of various aspects of scouting. The average age of the troop is approximately 12 ½ and the organization serves both Stayton and Sublimity residents. The scouts are pursuing various badges as there are 122 that can be achieved. The group has been working on their citizenship badge which includes issues in the community. The scouts have picked up trash on Shaff Road and handed out surveys. A celebration will be held at Regis High School commemorating Boy Scouting's 100 Year Anniversary on February 13<sup>th</sup> and the public is invited. When asked what the scouts liked best about scouting a young man answered "helping out the community and camping".
- b. Spotlight:** Cass Portner, Library Assistant Youth Services presented an overview of the various children's programs at the library and stated her philosophy is to match the right reader at the right time with the right book. Ms. Portner encouraged those present at the meeting to come to the Multi-cultural event on Friday, November 20<sup>th</sup> to highlight the new Spanish Language collection of Children's books.

**ANNOUNCEMENTS**

- a. Additions to the Agenda:** Mr. Eubank added an agenda item under new business, a grant application from the Planning Department.

## CONSENT AGENDA

- a. **Approval of Minutes of City Council Meeting** – Mayor Aboud stated that the November 02, 2009 meeting minutes would be deferred to the December 07, 2009 City Council meeting.

## PUBLIC HEARING

### Stayton Downtown Urban Renewal Plan

- a. **Commencement of public hearing:** Mayor Aboud opened the public hearing at 7:15 pm.
- b. **Ex parte contact, conflict of interest, bias, etc.:** Councilor Loftus declared he had ex-parte contacts with citizens and that he owns a business and residence in the proposed Urban Renewal District. Mayor Aboud declared that he owns a business in the proposed district. Councilor Vigil declared that he owns a business and residence in the proposed Urban Renewal District. Councilor Frank declared an ex-parte contact as he has had contact with citizens regarding the formation of an Urban Renewal District.
- c. **Staff Report:** Mr. Fleishman reviewed the staff report included in the packet materials.
- d. **Proponent's Testimony:** Kelly Schrieber, Executive Director Stayton/Sublimity Chamber of Commerce read a prepared letter of support stating the chamber encourages the council to look at the plan to help make Stayton's downtown more alive and vibrant.

John Brandt, Stayton encouraged the Council to support an Urban Renewal District and appreciated the expansion of the district to include the Riverfront Park. An important link is a bridge across the Stayton Ditch and asked that it not be forgotten. Mayor Aboud assured Mr. Brandt that staff has met with a contractor regarding the bridge and that it will happen.

Jim Wampler, Stayton stated there has been no progress in the last 20 years in the downtown area and encouraged the Council to support the district.

Susan Brandt, Stayton stated that it is time to do something as Burnett Street has not changed in 37 years and it is hard for seniors to maneuver the streets in dis-repair.

Greg Olson, local building owner stated that he owns three downtown commercial properties and has watched folks open up businesses in the downtown area only to find out they would need to make improvements and not have the funds to pursue them. It's easier to do it together as a district instead of watching folks spend money individually.

Mayor Aboud read into the record a letter of support from the Santiam Heritage Foundation.

- e. **Opponent's Testimony:** Lee Hazelwood, Stayton expressed his opposition to an Urban Renewal District and referred to an article in the Oregonian citing the negatives in

Multnomah County from an Urban Renewal District. More research needs to be conducted and other problems resolved before the Council votes on the proposal.

Dick Morley, Stayton stated he is a business owner in the downtown area and serves on both the Stayton Fire District and N. Santiam School District boards, but he is not representing the school district at this meeting. The Board of Directors for the fire district voted unanimously to oppose the Urban Renewal Plan, as its' an unfunded mandate for the fire district. The public schools in Oregon also loose money for students where there is an established Urban Renewal District. He encouraged the Council to refer the decision to the voters and let them decide if they wish to support an Urban Renewal District.

Jack Carriger, Stayton Fire Chief stated that the Urban Renewal Plan is good for the most part except that it robs money that would help fund the fire district. The district relies on volunteers for 70% of the fire protection and if money is taken for Urban Renewal instead of the fire district, you would have to pay for fire protection. He encouraged the Council to let the citizens decide as to whether or not they wish to support Urban Renewal.

- f. General Testimony:** Randy Cranston, stated he owns property in the proposed district. Building a new city hall with urban renewal money is not a good idea. Since the majority of the Urban Renewal Agency members would be city councilors it could have negative effect on the committee if several councilors terms ended at the same time.

Larry Emery, Stayton stated that he can see why some folks support the plan and other don't. The Council should refer it to the voters and let them decide.

- g. Questions from the Public:** Wayne Lierman, Stayton asked if additional staff would be needed to manage the district. Mr. Fleishman stated that maybe 15 years from now but not currently.

**h. Questions from the Council:**

1. How much money has the city spent on the Urban Renewal Plan?

Mr. Fleishman stated that approximately \$27,000 to \$28,000 has been spent with \$14,000 coming from grant funding for the Downtown Revitalization Committee as well as the Urban Renewal Committee and surveyor fees.

2. Have other jurisdictions that have Urban Renewal Districts referred it to the voters?

Mr. Fleishman answered in the affirmative and stated that if their respective city charters mandated them to do so they would be referred.

- i. Staff Summary:** Mr. Fleishman stated the enactment of the Urban Renewal Plan addresses adopted City Council Goals of improving public infrastructure, revitalizing downtown, supporting economic development and enhancing the livability of the City. Staff recommends approval.

**j. Close of Hearing:** Mayor Aboud closed the public hearing at 8:33 pm.

The meeting was recessed at 8:34 pm and reconvened at 8:40 pm.

## **UNFINISHED BUSINESS**

### **Ordinance Enacting Urban Renewal District**

**a. Staff Report:** Mr. Fleishman stated that if the council wishes to proceed with the enactment of the ordinance the proposed motions are listed in the staff memorandum.

If passed at the second reading, the urban renewal district would start collecting funds November 2010.

**b. Council Deliberation:** Councilor Frank read a prepared statement saying without affirmation by voters and citizens, and Urban Renewal District cannot succeed. He made a motion and Mayor Aboud stated he was not ready to accept a motion at this time, as further discussion is needed.

Councilor Loftus stated he has a lot of reservations with the current plan and has taken a poll of citizens some are for it and some against it. The proposal should have a clause that it needs the approval of the citizens.

Councilor Walters stated he has lived in the area for 40 years. The downtown area was a mess then and now it's even a bigger mess. This is a chance to fix the downtown area the heart of the town. It's going to hurt and people will complain some but either you support the downtown or let it die.

Councilor Hemshorn stated she has heard consistently at town hall meetings that the Council is not doing anything effective. The Council is accountable to the community and has the responsibility to do something.

Councilor Vigil stated that the community supports the local schools and the fire district and will continue to do so even if an Urban Renewal District is formed.

Mayor Aboud stated that those asking for voter approval are opposed to the plan and the public elects Councilors to make decisions. An Urban Renewal District would be a catalyst to improvements in the community and a yes vote is a vote to improve the entire community.

### **Council Decision:**

**Motion:** From Councilor Frank, seconded by Councilor Loftus to refer the formation of an Urban Renewal District to the voters of Stayton. Motion failed: 2:3 (Frank & Loftus): (Hemshorn, Vigil & Walters).

**Motion:** From Councilor Vigil, seconded by Councilor Hemshorn to move to direct that Ordinance (unnumbered), approving the Stayton Urban Renewal Plan and Directing that Notice of Approval be Published, be read for the first time by title only.

**Motion passed:**3:2 (Frank & Loftus)

The Deputy City Recorder read the proposed ordinance for the first time by title only.

**Motion:** From Councilor Vigil, seconded by Councilor Walters, to move to approve the first reading of Ordinance (unnumbered), approving the Stayton Urban Renewal Plan and Directing that Notice of Approval be Published.

**Motion passed:** 3:2 (Frank & Loftus)

Mr. Fleishman stated that since the vote was not unanimous, the second will be scheduled for the City Council meeting of December 07, 2009.

### **City Hall/Florence Street Property**

- a. **Staff Report:** Mr. Eubank reviewed his staff memorandum included in the packet materials and made a clarification that the additional space in the Florence Street building is 1100 square feet and not 500 as stated in the staff report.
- b. **Council Deliberation:** Reading a prepared statement, Councilor Frank stated that no matter what direction the Council wishes to pursue, a new city hall down the road, utilization of existing facilities, and how to best manage what we have needs to be addressed by both council and staff.

Councilor Hemshorn stated that its' not the time to talk about a new city hall as it's not cost effective and would be a waste of money to move and allow the Moose Lodge to stay as it's generating revenue for the City.

Councilor Vigil stated that it doesn't make sense to move forward and talk about a new city hall as staff currently has ample room where they are located. We should not waste any more time talking about it.

Councilor Walters stated that a new city hall is a long way down the road, and we should not move into a building that needs to be renovated. The Moose should be able to stay in their current location.

**Motion:** From Councilor Frank, seconded by Councilor Loftus to move to direct the City Administrator to continue the lease with the Moose Lodge and remain in their current location and to review and update the Facilities Master Plan.

**Discussion:** Councilor Vigil stated that the Facilities Master Plan was well thought out with a lot of time involved in drafting the document, but no more time needs to be spent on the plan. What needs to be adjusted are the Council's Goals. Councilor Walters stated that we are in a recession right now and issues need to be put on hold. Councilor Hemshorn stated with all of the vacant commercial properties in town at least the city is receiving rent for the structure. Councilor Loftus stated that he seconded the motion as it was his understanding the facilities master plan was going to be reviewed but not re-done. Staff should not spend anymore time pursuing this issue. Councilor Vigil stated that a review and update of the Facilities Master Plan could end up being a re-write of the plan. Mayor Aboud stated the lease

with the Moose ought to continue, but to re-negotiate the lease with no allowance that the city can terminate the lease on short notice. The bigger issue is not the Moose lease it's whether or not public works, planning and city hall staff need to be moved due to a lack of space.

**c. Council Decision:**

**Motion failed:** 3:2 (Hemshorn, Vigil & Walters) : (Frank & Loftus).

**Motion:** From Councilor Loftus, seconded by Councilor Hemshorn, to direct the City Administrator to continue the lease with the Moose Lodge so they can stay in the current Florence Street location. **Motion passed:** 5:0.

**Motion:** From Councilor Vigil, seconded by Councilor Walters, to abandon the goal of directing the City Administrator to develop a financing plan for a new city hall to be presented to the Council April 2010. **Motion passed:** 4:1 (Frank)

## NEW BUSINESS

### **An Ordinance Restating Ord. #914 Amending the City of Stayton's Comprehensive Plan and Zone Maps for Property Located at 1401 N. Tenth Avenue.**

**a. Staff Report:** Mr. Fleishman reviewed the staff memorandum included in the packet materials.

**b. Council Deliberation:** No discussion.

**c. Council Decision:**

**Motion:** From Councilor Loftus, seconded by Councilor Frank, to move to direct that Ordinance (unnumbered), Restating Ordinance 914, Amending the City of Stayton's Comprehensive Plan and Zone Maps for property located at 1041 N. Tenth Avenue be read for the first time by title only. **Motion passed:** 5:0.

The Deputy City Recorder read the proposed ordinance for the first time by title only.

**Motion:** From Councilor Loftus, by Councilor Frank, to move to approve the first reading of Ordinance (unnumbered), Restating Ordinance 914, Amending the City of Stayton's Comprehensive Plan and Zone Maps for property located at 1041 N. Tenth Avenue be read for the first time by title only. **Motion pass**

The Ordinance was assigned number 915.

**Motion:** From Councilor Loftus, seconded by Councilor Frank, to move to direct that Ordinance No. 915, Restating Ordinance 914, Amending the City of Stayton's Comprehensive Plan and Zone Maps for property located at 1041 N. Tenth Avenue be read for the second time by title only. **Motion passed:** 5:0.

Ms. Petersen read Ordinance No. 915 for the second time by title only.

**Motion:** From Councilor Loftus, seconded by Councilor Frank, to move to approve the second reading of Ordinance No. 915, Restating Ordinance 914 and direct the Mayor to execute the Ordinance as enacted. **Motion passed 5:0.**

### **Americorp Project**

**a. Staff Report:** Mr. Fleishman asked the council for their support in filing an application for a Community Participation Event Grant in the amount of \$800 for the removal of invasive leaves, and to clean up Riverfront Park and Pioneer Park. The event will be held sometime in the late spring 2010, and there has been great interest from the community for this event.

**b. Council Deliberation:** Motion.

**c. Council Decision:**

**Motion:** From Councilor Vigil, seconded by Councilor Walters, to direct the City Planner to apply for the \$800 grant to Americorp. Motion passed: 5:0.

### **STAFF/COMMISSION REPORTS**

#### **Acting Police Chief's Report – Rich Sebens**

**a. Statistical Report October 2009:** Mr. Sebens reviewed his staff report in the packet materials.

#### **Finance Director's Report – Christine Shaffer**

**a. Monthly Finance Department Report:** Ms. Shaffer reviewed her staff report included in the packet materials.

#### **Library Director's Report – Louise Meyers**

**a. October 2009 Activities/Statistics:** Ms. Meyers reviewed her staff report included in the packet materials and invited all to attend the Multicultural event November 20<sup>th</sup> highlighting the new Spanish Language collection of Children's books.

#### **Public Works Director's Report – Dave Kinney**

**a. October 2009 Monthly Operating Report:** Mr. Kinney updated council members on various projects taking place in public works.

#### **Pool Manager – Rebekah Meeks**

**a. October 2009 Monthly Operating Report:** Ms. Meeks reported that the pool is back up and running and that staff is waiting for bids from contractors for the replacement of the pump and motor.

### **PRESENTATIONS/COMMENTS FROM THE PUBLIC – None.**

## **BUSINESS FROM THE CITY ADMINISTRATOR**

- a. **New Senior Center:** Mr. Eubank reported that the Santiam Senior Center is now in their new location at the SCTC building on Kingston-Jordan Road.
- b. **Council Meet & Greet:** Mr. Eubank reminded Council members of the upcoming Council Library Board Meet & Greet, Wednesday November 18<sup>th</sup> at 6:00 pm.

## **BUSINESS FROM THE MAYOR**

- a. **Re-appointment of Raechelle Brown & Dennis Vietzke to the Parks Board:**

**MOTION:** From Councilor Hemshorn, seconded by Councilor Walters, to re-appoint Raechelle Brown & Dennis Vietzke to the Park and Recreation Board. Motion passed: 5:0.

- b. **Re-appointment of Michelle Wonderling & Ralph Lewis to the Planning Commission:**

**MOTION:** From Councilor Hemshorn, seconded by Councilor Walters, to re-appoint Michelle Wonderling & Ralph Lewis to the Planning Commission. Motion passed: 4:0, 1 abstain (Frank)

## **BUSINESS FROM THE COUNCIL**

- a. **Charter Changes:** Councilor Frank asked when the ordinance changes would be coming to the council with the passage of the proposed charter amendments. Mr. Eubank stated the changes would probably be presented at the December 21<sup>st</sup> council meeting.
- b. **Skatepark:** Councilor Vigil asked when the issue of a permanent skatepark would be presented to the Council. The current structures at the temporary facility are in need of repair and should be removed before someone gets hurt. Mr. Eubank stated that he would be bringing something to the Council in March or April regarding a permanent skatepark.

## **ADJOURN**

There being no further business, the meeting was adjourned.



APPROVED BY THE STAYTON CITY COUNCIL this 7th day of December 2009, by a 5:0 VOTE OF THE STAYTON CITY COUNCIL.

CITY OF STAYTON

Date: \_\_\_\_\_

By: \_\_\_\_\_

Gerry Aboud, Mayor

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

Don Eubank, City Administrator

Date: \_\_\_\_\_

Submitted By: \_\_\_\_\_

Rebecca Petersen, Deputy City Recorder